

Notice of Allowability

Application No.

10/617,595

Examiner

Robert B. Davis

Applicant(s)

PEYERL ET AL.

Art Unit

1722

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☒ The allowed claim(s) is/are 1-25 and 27-35 (renumbered as 1-34, respectively).
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date 7/11/03
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413), Paper No./Mail Date 11222005.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Donald E. Hasse on November 22, 2005.

The application has been amended as follows:

Claim 26 has been canceled.

2. The restriction requirement of August 22, 2005 has been withdrawn. The reason for withdrawal is not because of serious burden. The stated reason for restriction was that the apparatus was capable of molding a foam, thermosetting resin or a fiber reinforced polymeric material. However, the process recites a moldable material and clearly the given materials are all moldable materials.

3. The following is an examiner's statement of reasons for allowance: None of the prior art of record teaches or suggests an apparatus to form panels from moldable materials comprising: a material storage and feeding container for placing moldable material on a first sheet of peel ply material atop a conveyor, the conveyor having a roughened surface for creating friction between the first sheet of peel ply material thereon and the conveyor, the conveyor passing over a base plate having one distal end placed so that the conveyor passes under the material storage and feeding container and a second distal end adjacent where the conveyor departs the first sheet

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of peel ply material, a sizing plate under which a second sheet of peel ply material passes, the sizing plate configured to regulate the thickness of the moldable material as it exits the material storage and feeding container, the sizing plate being positioned to place the second sheet of peel ply material over the moldable material to form a web having a bottom side and a top side, the bottom side of the web formed by the first sheet of peel ply material and the top side formed by the second sheet of peel ply material, a compression zone having a plurality of sides and at least one compression plate positioned to further compress the moldable material, a friction reducing material lining the compression plate and a plurality of sides of the compression zone, and a receiving device for receiving the web from the conveyor. The closest prior art JP 10-76541 A discloses a press apparatus for forming a moldable material comprising a material storage and feeding container (19), a doctor blade (23) for controlling the size of the deposited layer, first and second peel plies (16 and 21), a conveyor belt (14) for supporting the lower ply (16) and a press roll couple (15, 25) to compress the material to form a sheet (11); however, the reference fails to disclose or suggest a conveyor having a roughened surface for creating friction between the first sheet of peel ply material and the conveyor, or a sizing plate under which the second sheet of peel ply passes, a base plate and a compression plate or a friction reducing material lining the compression plate. Hancock discloses a conveyor belt (16) having sharp projections to secure carrier (10). Shimizu et al (5,198,243) discloses a conveyor belt (27) having a roughened surface to grip a cleaning tape (26). However, the Japanese reference discloses that the endless belt can be coated with a fluororesin (see paragraph 20 of the

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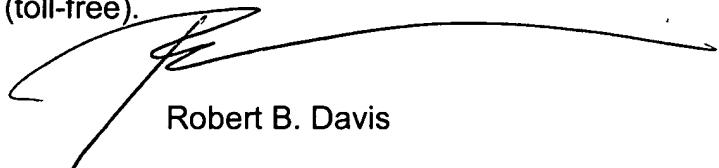
machine translation) and modification of this reference with a roughened belt would go directly against applying a release material to the endless belt. For clarification, the first and second peel ply materials are considered to be positive structural elements required by the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert B. Davis whose telephone number is 571-272-1129. The examiner can normally be reached on Monday-Friday 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Duane Smith can be reached on 571-272-1166. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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Primary Examiner
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